

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SCOTT E. PAYNE,

Petitioner,

v.

CASE NO. 2:05-cv-00050

DAVID BOBBY, Warden,

**JUDGE SARGUS
MAGISTRATE JUDGE KING**

Respondent.

OPINION AND ORDER

On February 27, 2006, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant habeas corpus petition be dismissed. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**.

IT IS SO ORDERED.


3-23-2006
EDMUND A. SARGUS, JR.
United States District Judge